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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,649	04/07/2004	Raymond G. Schuder	10002621 -2	8492

7590 01/26/2006

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EXAMINER

GATES, ERIC ANDREW

ART UNIT PAPER NUMBER

3722

DATE MAILED: 01/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/820,649

Applicant(s)

SCHUDER ET AL.

Examiner

Eric A. Gates

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-13 and 21-35 is/are pending in the application.
- 4a) Of the above claim(s) 31-35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-13 and 21-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/7/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of claims 9-13 and 21-30 in the reply filed on 21 December 2005 is acknowledged.
2. Claims 31-35 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 21 December 2005.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 9, 22-23, and 25-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Domes et al. (U.S. Patent 6,006,807).
5. Regarding claim 9, Domes et al. discloses a bookbinding system, comprising: a sheet binder 21 (see page 2, lines 59-63) configured to bind two or more sheets into a text body having an exposed spine bounded by two exposed side hinge areas; an adhesive dispenser 14 configured to apply a solid pressure sensitive adhesive film

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1c/1d between a cover and the side hinge areas of the text body 22; and a cover binder 21 configured to bind the cover to the side hinge areas of the text body by applying pressure to the cover (see page 4, lines 1-5).

6. Regarding claim 22, Domes et al. discloses wherein the adhesive dispenser 14 additionally applies the solid pressure sensitive adhesive film 1c/1d between the cover and the exposed spine of the text body 22, and the cover binder 21 binds the cover to the spine of the text body by applying pressure to the cover.

7. Regarding claim 23, Domes et al. discloses wherein the adhesive dispenser 14 applies the solid pressure sensitive adhesive film 1c/1d as a single continuous strip with a width dimension that is wider than the exposed spine of the text body (see page 3, lines 17-18, and page 4, lines 2-4).

8. Regarding claim 25, Domes et al. discloses wherein the adhesive dispenser 14 applies between the cover and the side hinge areas a solid pressure sensitive adhesive film 1c/1d that comprises a pressure sensitive adhesive composition laminated to a hot melt adhesive film (see page 4, lines 1-5).

9. Regarding claim 26, Domes et al. discloses wherein the adhesive dispenser 14 applies the solid pressure sensitive adhesive film 1c/1d with the hot melt adhesive film in contact with the side hinge areas and the exposed spine of the text body 22; the sheet binder 21 melts the hot melt adhesive film to bind the two or more sheets into the text body; and the cover binder 21 binds the cover to the side hinge areas of the text body by disposing the cover over the text body and applying pressure to the cover to

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activate the pressure sensitive adhesive composition (see page 3, line 65 to page 4, line 5).

10. Regarding claim 27, Domes et al. discloses wherein the cover binder 21 contacts the side hinge areas to the applied solid pressure sensitive adhesive film 1c/1d (see page 3, lines 59-65).

11. Regarding claim 28, Domes et al. discloses wherein the adhesive dispenser 14 dispenses the solid pressure sensitive adhesive 1c/1d from a roll of solid sheet adhesive 1a/1b.

12. Regarding claim 29, Domes et al. discloses wherein the adhesive dispenser 14 dispenses from the roll 1a/1b a solid sheet adhesive 1c/1d that comprises a pressure sensitive adhesive composition dispersed on a carrier ribbon (see page 2, lines 9-12).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 10 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Domes et al. in view of Crathern, III et al. (U.S. Patent 3,939,513).

15. Regarding claim 10, Domes et al. discloses wherein the adhesive dispenser 14 is configured to apply a solid pressure sensitive adhesive film 1c/1d to the cover. Domes et al. does not disclose the film is applied in a series of spaced-apart strips.

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16. Crathern, III et al. teaches the application of adhesive film 55 in a series of spaced apart strips (see Figure 1) for the purpose of forming multiple hinges on the stack of sheets 105 to be bound. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the adhesive dispenser of Domes et al. with the multiple strip capability of Crathern, III et al. in order to have a binding system capable of using multiple hinges.

17. Regarding claim 24, Domes et al. discloses the invention substantially as claimed, except Domes et al. does not disclose wherein the adhesive dispenser applies the solid pressure sensitive adhesive film in a series of multiple strips over an area corresponding to the side hinge areas and the exposed spine of the text body.

18. Crathern, III et al. teaches the application of adhesive film 55 in a series of spaced apart strips (see Figure 1) for the purpose of forming multiple hinges on the stack of sheets 105 to be bound. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the adhesive dispenser of Domes et al. with the multiple strip capability of Crathern, III et al. in order to have a binding system capable of using multiple hinges.

19. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Domes et al. in view of Sampson et al. (U.S. Patent 4,930,911).

20. Regarding claim 11, Domes et al. discloses the invention substantially as claimed, except Domes et al. does not disclose wherein the adhesive dispenser comprises a plug-in cartridge housing.

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21. Sampson et al. teaches the use of a plug-in cartridge 76 placed within a housing 11 for the purpose of allowing quick-change capability of the tape used in the cartridge. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the adhesive dispenser of Domes et al. with the plug-in cartridge of Sampson et al. in order to have a binding system that allows for a quicker and easier change of the adhesive film.

22. Regarding claim 12, the modified invention of Domes et al. discloses wherein the adhesive dispenser 14 comprises a supply spool 1a/1b disposed within the plug-in cartridge housing and configured to support a roll of pressure sensitive adhesive tape 1a/1b formed from a solid pressure sensitive adhesive film disposed on a carrier ribbon (see page 2, lines 9-12).

23. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Domes et al. in view of Sampson et al. and further in view of Rossini (U.S. Patent 5,261,996).

24. Regarding claim 13, the modified invention of Domes et al. discloses the invention substantially as claimed, except Domes et al. does not disclose wherein the adhesive dispenser comprises a take-up spool disposed within the plug-in cartridge housing and configured to reel-in spent carrier ribbon.

25. Rossini teaches the use of a take-up spool 46 for the purpose of reeling in spent carrier ribbon 48. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the adhesive dispenser of Domes et al. with the take-up spool of Rossini in order to have a binding system that allows for removal of the carrier ribbon prior to binding.

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26. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Domes et al. in view of Peleman (U.S. Patent 6,036,229).

27. Regarding claim 13, Domes et al. discloses the invention substantially as claimed, except Domes et al. does not disclose wherein the adhesive dispenser applies the solid pressure sensitive adhesive film to the cover before contacting the side hinge areas of the text body.

28. Peleman teaches the method of applying adhesive 6 to the cover 2/3/4 before contact with the text body for the purpose of having a cover pre-made for binding. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the adhesive dispenser of Domes et al. with the method of Peleman in order to have a binding system that allows for a convenient rearrangement of the binding steps.

29. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Domes et al. in view of Rossini.

30. Regarding claim 30, Domes et al. discloses the invention substantially as claimed, except Domes et al. does not disclose wherein the adhesive dispenser applies the solid pressure sensitive adhesive film by releasing a film of pressure sensitive adhesive from the carrier ribbon and reeling-in spent carrier ribbon.

31. Rossini teaches the release of pressure sensitive adhesive 34 from a carrier ribbon 48 that is reeled in on a take-up spool 46 for the purpose of removing the unnecessary material prior to binding. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have combined the

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adhesive dispenser of Domes et al. with the method of Rossini in order to have a binding system that allows for a convenient removal of unneeded material.

Conclusion

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited prior art teaches various aspects of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric A. Gates whose telephone number is 571-272-5498. The examiner can normally be reached on Monday-Thursday 7:45-6:15.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



EAG
22 January 2006



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